

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82650 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- SAHEBPUR KAMAL District- Begusarai

Bhola Paswan Son of Late Medni Paswan R/O Vill. and P.O. and P.S.-
Sahebpur Kamal, Dist.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-03-2025 Heard Mr. Kumar Binode Bariar, learned counsel for
the petitioner and Mr. Jitendra Kumar Singh, learned APP.

2. The petitioner apprehends his arrest in connection with Sahebpur Kamal P.S. Case No. 47 of 2024 for the offence punishable under sections 143, 341, 323, 307, 325, 379, 504 and 506 of the Indian Penal Code and later on added Section 302 of the IPC lodged on 26.02.2024 by the informant, Rahul Kumar.

3. As per the prosecution story, the informant alleged that the accused persons armed variously assaulted both Dharamveer Kumar (since deceased) as also the informant and so far as the allegation against the first set of accused, Dilip Paswan, Guddu Paswan, Kundan Paswan, Kare Paswan and Suraj Paswan are concerned, they gave wooden/iron rod blow on the head of Dharamveer Kumar while Bucchi Paswan,



Ramdas Paswan, Arvind Paswan and Rajesh Paswan gave iron/wooden rod blow on the head and hand of the informant causing injury/fracture. The further allegation is of taking away gold chain. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that he is an old man of 76 years having no criminal antecedent, only to increase the list of accused, his name has been given, had no role to play in the matter and if granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that allegation of snatching the locket is assigned to his petitioner.

6. Taking into account the aforesaid facts as also the role of assault has not been attributed to this petitioner, he is an old person having no criminal antecedent, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Judge-IV-



cum-ACJM-IV, Begusarai in connection with Sahebpur Kamal P.S. Case No. 47 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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